IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

SMARTMATIC USA CORP., SMARTMATIC INTERNATIONAL HOLDING B.V., and SGO CORPORATION LIMITED,

Plaintiffs,

v.

MICHAEL J. LINDELL and MY PILLOW, INC.,

Defendants.

Case No. 22-cv-0098-JMB-JFD

PLAINTIFFS' MOTION TO EXCLUDE THE OPINION AND TESTIMONY OF <u>BENJAMIN COTTON</u>

Plaintiffs Smartmatic USA Corp., Smartmatic International Holding B.V., and SGO Corporation Limited (collectively, "Smartmatic"), respectfully moves the Court under Federal Rules of Evidence 702 for an order granting this Motion to Exclude the Opinion and Testimony of Benjamin Cotton for the reasons stated in Smartmatic's Memorandum of Law filed contemporaneously herewith.

Dated: November 13, 2024 Respectfully submitted,

/s/ Timothy M. Frey

Christopher K. Larus

Minnesota Bar No. 0226828

CLarus@robinskaplan.com

William E. Manske

Minnesota Bar No. 0392348

WManske@robinskaplan.com

Emily J. Tremblay

Minnesota Bar No. 0395003

ETremblay@robinskaplan.com

ROBINS KAPLAN LLP

800 LaSalle Avenue, Suite 2800 Minneapolis, MN 55402 Telephone: (612) 349-8500

J. Erik Connolly (admitted *pro hac vice*) EConnolly@beneschlaw.com Illinois ARDC No. 6269558 Nicole E. Wrigley (admitted pro hac vice) NWrigley@beneschlaw.com Illinois ARDC No. 6278749 Timothy M. Frey (admitted pro hac vice) TFrey@beneschlaw.com Illinois ARDC No. 6303335 Julie M. Loftus (admitted pro hac vice) JLoftus@beneschlaw.com Illinois ARDC No. 6332174 BENESCH, FRIEDLANDER, COPLAN &

ARONOFF LLP

71 South Wacker Drive, Suite 1600 Chicago, IL 60606 Telephone: (312) 212-4949

James R. Bedell (admitted pro hac vice) JBedell@beneschlaw.com Ohio Bar No. 97921 BENESCH, FRIEDLANDER, COPLAN & **ARONOFF LLP** 127 Public Square, Suite 4900

Cleveland, OH 44114 Telephone: (216) 363-4500

Attorneys for the Plaintiffs